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Attorney for Defendants
 RICHARD L. BRADLEY and
 WEST COAST SCRAP PRODUCERS, INC.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

NORTHERN CALIFORNIA WATCH, a non-profit Corporation, Plaintiffs, v. WEST COAST METALS, INC., RICHARD L. BRADLEY, WEST COAST SCRAP PRODUCERS, INC., OPTICAL COATING LABORATORY, INC., DOES 1 THROUGH 10 Inclusive, Defendants.) Case No.: C-09-2601 MMC)) APPLICATION FOR) ADMINISTRATIVE RELIEF TO) CONTINUE CASE MANAGEMENT) CONFERENCE; PROPOSED ORDER DENYING) CONTINUANCE AND EXCUSING DEFENDANTS) CMC Date: July 17, 2009 FROM ATTENDING) Time: 10:30 a.m. CONFERENCE) Courtroom 7) Judge: Hon. Maxine M. Chesney
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I, Arthur D. Levy, declare:

1. This action was filed on June 11, 2009.
2. I have been retained to represent defendants Richard L. Bradley and West Coast Scrap Producers, Inc. in this case.
3. On July 9, 2009, I first received the Waiver of Summons and the Complaint from plaintiff's counsel.
4. I have not yet signed and returned the Waiver of Summons, although I intend to do so.
5. In reviewing the ECF docket in this case, I noticed that the Court has set a Case Management Conference for next Friday, July 17, 2009.

6. I will be away on a long-planned vacation in the Trinity wilderness throughout the entire week of July 13 and will be unavailable to attend the conference on July 17.

7. To my knowledge, no defendant has been served in this case. Defendants Bradley and West Coast Scrap have not been served with process, other than per the Waiver of Summons form mentioned above.

8. Good cause exists for continuing the conference based on absence of service and appearances by defendants and my unavailability for the scheduled date.

9. On July 10, I telephoned plaintiff's counsel in order to request a stipulation to continue the conference. He was unavailable today. Since this is my last day in the office until July 20, I am not available next week to resolve any stipulations with plaintiff's counsel.

10. I therefore ask that the Court reset the July 17 conference on a date sufficiently in the future to allow all defendants to provide service waivers or be served, to retain counsel and appear, and for all counsel to confer in advance of the conference.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 10th day of July 2009.

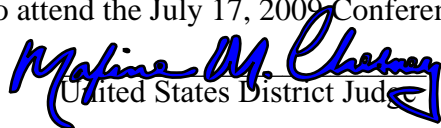
/s/ Arthur D. Levy

Arthur D. Levy

ORDER

defendants Richard L. Bradley and West Coast Scrap Producers, Inc.,
Good cause appearing, ~~the Case Management Conference scheduled in this case for July 17, 2009 is hereby reset to 10:30 a.m. on _____, 2009~~ having not yet returned waivers of service, are hereby EXCUSED from attending the July 17, 2009 Case Management Conference. All other parties are ORDERED to attend the July 17, 2009 Conference.

DATED: July 15, 2009


United States District Judge

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